

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
:
STEVEN MATZURA, *on behalf of himself and all others* :
similarly situated, :

Plaintiff, :

23-CV-3238 (JMF)

-v- :

ORDER

ARTIPHON, INC., :

Defendant. :
-----X

JESSE M. FURMAN, United States District Judge:

Defendant in this action appears to be in default. Plaintiff shall file any motion for default judgment, in accordance with the Court's Individual Rules and Practices for Civil Cases (available at <https://nysd.uscourts.gov/hon-jesse-m-furman>), **within two weeks of the date of this Order**. If Plaintiff's counsel submits calculations in support of any motion for default judgment, Plaintiff's counsel shall also email native versions of the files with the calculations (i.e., versions of the files in their original format, such as in ".xlsx") to Chambers at Furman@nysd.uscourts.gov. If or when a motion for default judgment is filed, the Court will enter a further Order setting a deadline for any opposition and reply and scheduling a show cause hearing. If no motion for default judgment is filed by the deadline set forth above, the case may be dismissed for failure to prosecute without further notice to the parties.

The Court notes that this is the second time it has issued an Order inviting Plaintiff to file a motion for default judgment. *See* ECF No. 10. In response, Plaintiff filed a proposed stipulation and order extending Defendant's time to answer until July 14, 2023, ECF No. 11, which the Court granted, ECF No. 12. If the parties seek a further extension of Defendant's time to answer, they must address why they failed to comply with the Court's prior order setting the July 14th deadline. Further, any further extension shall be sought by *Defendant*, which shall promptly enter a notice of appearance.

Plaintiff shall electronically serve a copy of this Order on Defendant **within two business days from the date of this Order** and shall file proof of such service **within three business days of the date of this Order**.

SO ORDERED.

Dated: July 17, 2023
New York, New York



JESSE M. FURMAN
United States District Judge